



Mission permanente de la France  
auprès des Nations unies



*Permanent Mission of Peru  
to the United Nations*

## **Concept note**

### **Arria formula meeting of the UN Security Council**

#### **“Human rights, accountability and justice: contributions to international peace and security”**

**Monday 11 March 2019 –UNHQ - CR2 – 3 PM**

### **Background**

The aim of the Arria Formula Meeting is to examine how the rule of law, as interlinked with human rights, accountability and international justice, can contribute to discharging the primary responsibility of the Security Council for the maintenance of international peace and security.

In particular, the role that the protection of human rights and the pursuit of accountability and justice for the most serious crimes play in the prevention and resolution of conflicts. Similarly, the role of the United Nations has been instrumental to strengthen international criminal justice as reflected in the ad-hoc tribunals created by the Security Council, the work of international and hybrid criminal justice mechanisms, and the emergence of innovative forms of accountability mechanisms such as the UN Investigative Team to Promote Accountability for Crimes committed by Da'esh/Islamic State in Iraq and the Levant.

There has been an increasing recognition by the international community that serious violations of human rights may constitute a threat to international peace and security. Therefore, human rights issues have been integrated in the work and agenda of the Security Council (e.g.: Children and Armed Conflict or Women, Peace and Security), in the information that guides its actions, in the resolutions that it adopts, notably on PKO mandates, as well as in its sanction regimes. There are still challenges ahead.

Since the creation of international criminal tribunals to try those accused of serious violations of international law in the former Yugoslavia and Rwanda in the early 1990s, the Security Council has pursued a variety of measures deploying a wide range of initiatives aimed to protect and promote human rights, strengthen the rule of law in post-conflict settings, assist and strengthen national capacities, expand access to justice, and increase accountability.

The Arria formula meeting provides an opportunity to discuss how respecting human rights, preventing serious violations and abuses, and promoting justice, are indispensable to the maintenance of international peace and security. This is essential in enabling all States to realize the shared ambition of promoting peaceful and inclusive societies as set out in the

Agenda 2030 for Sustainable Development, and in line with the priority given by the Secretary General to the prevention agenda. In this regard, the High Commissioner for Human rights and her office play a significant role.

Participants will reflect critically on achievements, challenges, gaps, and lessons learnt in this important area of engagement of the UN Security Council.

### **Issues for consideration:**

During the meeting, participants are invited to consider the following questions:

- How can justice and accountability for serious violations of international law contribute to peace and security and be further pursued at the international or national level with international assistance and UN cooperation?
- What lessons may be drawn from the contribution of various UN bodies in the pursuit of justice and accountability, including the Human Rights Council and the General Assembly?
- How does their recent involvement in establishing independent investigative mechanisms contribute to the work of the Security Council?
- How can the Security Council, in its own work, make best use of the outcomes and conclusions of these processes?
- With the ad-hoc tribunals for the former Yugoslavia and Rwanda having closed, how did they shape contemporary expectations for accountability for international crimes? How did they contribute towards prevention through ensuring a deeper understanding of international law more generally?
- What priorities should the United Nations have over the next five years so as to best promote effective accountability and the importance of justice in conflict and post-conflict settings?

### **Briefers:**

These and other questions will be addressed by the following briefers:

- Ms. Michelle Bachelet, UN High Commissioner for Human Rights;
- Mr. Miguel de Serpa Soares, USG for Legal Affairs; and
- Mr. Theodor Meron, former President of the International Criminal Tribunal for the former Yugoslavia and of the International Residual Mechanism for Criminal Tribunals.

### **Format:**

Following the presentations from the briefers, members of the Security Council will be invited to take the floor. Other Member States wishing to make an intervention should register in advance to the following email: [Jmestanza@unperu.org](mailto:Jmestanza@unperu.org). All delegations are encouraged to speak no more than 3 minutes.